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Attorneys for Defendants Michael W. Crow and Duncan Capital Group LLC

## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

MICHAEL W. CROW, DUNCAN CAPITAL LLC, DUNCAN CAPITAL GROUP LLC, ROBERT DAVID FUCHS, and ROBERT MACGREGOR,

Defendants.

and

TREVOR CROW, SANTAL HOLDINGS LLC, M.W. CROW FAMILY LP, CROW 2001 CHILDREN'S TRUST FBO MICHELLE LEE CROW, CROW 2001 CHILDREN'S TRUST FBO SPENCER MICHAEL CROW, CROW 2001 CHILDREN'S TRUST FBO DUNCAN CROW, and CROW 2001 CHILDREN'S TRUST FBO OLIVIA TREVOR CROW,

Relief Defendants.

07 Civ. 3814 (CM)(MHD) ECF CASE

## AFFIDAVIT OF SERVICE

DANA RUNDLÖF, being duly sworn, deposes and says:

Deponent is not a party to the action, is over 18 years of age and resides at 519 East 82<sup>nd</sup> Street New York, New York 10028.

That on the 10th of September, 2007, deponent served copies of the Notice of

Motion and the Memorandum of Law in Support of Defendants Michael W. Crow's and

## Duncan Capital Group LLC's Motion to Dismiss Claims for Injunctive Relief by electronic

mail and the ECF system<sup>1</sup> upon:

Preethi Krishnamurthy Securities and Exchange Commission Northeast Regional Office 3 World Financial Center New York, New York 10281 KrishnamurthyP@SEC.GOV Attorneys for Plaintiff

Martin Russo Nixon Peabody LLP 437 Madison Avenue New York, New York 10022 mrusso@nixonpeabody.com

Attorneys for Trevor Crow, M.W. Crow Family LP, Crow 2001 Children's Trust FBO Michelle Lee Crow, Crow 2001 Children's Trust FBO Spencer Michael Crow, Crow 2001 Children's Trust FBO Duncan Crow, and Crow 2001 Children's Trust FBO Olivia Trevor Crow.

Craig Warkol Bracewell & Giuliani LLP 1177 Avenue of the Americas New York, New York 10036 Craig.Warkol@bgllp.com Attorneys for Robert David Fuchs, Robert MacGregor, Duncan Capital LLC, and Santal Holdings LLC

Sworn to before me this 11th day of September, 2007

Notary Public

EMILY SAUSEN
Notary Public, State of New York No. 02SA6137667

Qualified in New York County Commission Expires Dec. 5, 20

On the morning of September 11, 2007, deponent received an electronic mail notification from the ECF system of a "Deficient Docket Entry" stating: "Note to Attorney Dana Christina Rundlof to RE-FILE Document [34] MOTION to Dismiss Claims for Injunctive Relief. ERROR(S): Filing Error of Attachments. Supporting Memorandum of Law must be filed individually. Event code located under Replies, Opposition and Supporting Documents." As instructed, we immediately re-filed the documents.